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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/711,869	11/13/2000	Petra Rapke-Kraft	A-2449	8610

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EXAMINER

POON, KING Y

ART UNIT PAPER NUMBER

2624

DATE MAILED: 07/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/711,869

Applicant(s)

RAPKE-KRAFT ET AL.

Examiner

King Y. Poon

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because it has more than 150 words. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1: Claim 1 is not clear because all the phrases are separated by comma and cannot be properly interpreted. It is unclear which phrase is connected to which phrase.

For example, it is unclear: what element in the claims that is containing the numbers and drawings of spare parts of line 10; the "at least one" of line 14, is referring to the spare parts numbers only, or is referring to both the spare parts numbers and the spare part drawings; what element in the claims is being capable of referring to the fault on the operating interface of lines 17-18.

Regarding claim 3: Claim 3 depends on claims 2 and 1. Claim 2 is calling up a program to eliminate a fault; it is unclear what the claim really means by claiming the fault elimination program is "one of called up". The "one of called up" appears to have more than one called up and contradicts what claim 2 is claiming.

Regarding claim 9: Claim 9 depends on claims 3, 2 and 1. Claims 1-3 have only one operating system. The "at least one of the operating system" appears to have more than one operating system and contradicts what claims 1-3 are claiming.

Regarding claim 10: Claim 10 depends on claims 8, 7, 5, 4, 1. Claims 1, 4, 5, 7, 8 have only one operating system. The "at least one of the operating system" appears to have more than one operating system and contradicts what claims 1-3 are claiming.

Regarding claim 12: Claim 12 is not clear because all the phrases are separated by comma and cannot be properly interpreted. It is unclear which phrase is connected to which phrase.


The limitation of "compiling one of supplementary and updated electronic documentation, respectively" is unclear. "Compiling one of" means there is only one electronic document being complied. "Respectively" appears that there are more than one electronic document being complied.

Regarding claims 2, 4-8, 11, 13: Claims 2, 4-8, 11, 13 are rejected under 35 U.S.C. 112, second paragraph because they depend on rejected claims 1, 12.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is (703) 305-0892.

6/30/04

A handwritten signature in black ink, appearing to read "King Y. Poon". The signature is written in a cursive, flowing style with a large initial "K" and a long, sweeping underline.